



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



468147

AUG 05 2013

REPLY TO THE ATTENTION OF:

SR-6J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Cerestar USA, Inc.  
c/o  
Cargill, Incorporated  
Greg Page  
Chairman and CEO  
P.O. Box 9300  
Minneapolis, MN 55440

RE: General Notice of Potential Liability for the Gary Development Landfill Site located at 479 Cline Avenue, Gary, Lake County, Indiana, CERCLIS ID No: IND077005916.

Dear Mr. Page:

The United States Environmental Protection Agency (U.S. EPA) has documented the release or threat of release of hazardous substances, pollutants and contaminants into the environment from the above-referenced facility, and is planning to spend public funds to investigate and control these releases. This action will be taken by U.S. EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 *et seq.* (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (SARA), unless U.S. EPA determines that such action will be done properly by a responsible party or parties. Responsible parties under CERCLA include the current and former owners and operators of the facility, persons who generated the hazardous substances, and persons who were involved in the transport, treatment, or disposal of the hazardous substances at the facility. Under Section 107(a) of CERCLA, where U.S. EPA uses public funds towards the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the facility, including investigation, planning, and enforcement costs.

On February 25, 2013, U.S. EPA issued Special Notice to eleven potentially responsible parties (PRPs) previously identified with the Gary Development Landfill Site (Site). A copy of the Special Notice letter and its enclosures accompanies this letter. You are invited to join the on-going negotiations for an administrative order on consent for remedial investigation and feasibility study. An up-dated service list with contact information for other PRPs is also enclosed.

My staff and I look forward to working with you during the coming months.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joan Tanaka".

Joan Tanaka, Chief  
Remedial Response Branch #1

cc: Updated PRP Service List (w/o enclosures)

- Enclosures:
1. Up-dated PRP service list
  2. Special Notice letter
  3. Administrative Order on Consent
  4. Statement of Work
  5. SBREFA Fact Sheet
  6. Itemized Cost Summary
  7. Site-nexus document

**Gary Development Landfill Site**

**PRP List 07/30/2013**

1. 3M Company  
  
Ted Wolff  
Manett, Phelps & Phillips, LLP  
7 Times Square  
New York, New York 10036
2. American Chemical Services  
  
Shell Bleiweiss  
Law Office of Shell J. Bleiweiss  
1 South Dearborn Street  
Suite #2100  
Chicago, IL 60603
3. Ashland, Inc.  
  
Attn: Richmond L. Williams  
Chief Counsel, Environmental Litigation  
Ashland, Inc.  
500 Hercules Road  
Building 8139, Room 226  
Wilmington, DE 19808
4. Borg Warner  
  
Joshua More  
Schiff Hardin, LLP  
233 South Wacker Drive, Suite 6600  
Chicago, Illinois 60606
5. BP America, Inc.  
  
Attn: Douglas S. Reinhart  
Senior Counsel  
BP Legal  
150 W. Warrenville Road, Mail Code 200-1W  
Naperville, Illinois 60563

12. Union Tank Car

Susan Franzetti  
Nijman Franzetti LLP  
10 South LaSalle Street, Suite 3600  
Chicago, Illinois 60603

13. United States Steel Corporation

Law Department, Attn: Andrew G. Thiros, Esq  
600 Grant Avenue  
Pittsburgh, PA 15219-2800

14. Legacy Vulcan

Mr. Andrew J. Torrant  
Fulbright & Jaworski L.L.P.  
Fulbright Tower  
1301 McKinney  
Suite 5100  
Houston, Texas 77010

15. Waste Management of Indiana, Inc.  
d/b/a: Calumet Waste Systems, Inc.

Attn: Francis Chin, Senior Legal Counsel  
Waste Management, Inc.  
1001 Fannin, Ste 4000  
Houston, Texas 77002